

FEES OF REGISTERS AND RECEIVERS.

JANUARY 13, 1897.—Referred to the House Calendar and ordered to be printed.

Mr. LACEY, from the Committee on the Public Lands, submitted the following

REPORT.

[To accompany H. R. 9948.]

The Committee on the Public Lands reported favorably H. R. 4804 January 27, 1896, and it passed the House and Senate and the President returned the bill with his disapproval.

Your committee have now eliminated that part of the bill which is criticised in the message of the President and recommend the passage of the bill herewith reported.

The following is a copy of the original report:

[House Report No. 138, Fifty-fourth Congress, first session.]

The Committee on the Public Lands has had under consideration H. R. 4073, and herewith report a substitute for the same and recommend its passage. House bill 4073 is intended to reduce the fees of registers and receivers for testimony reduced by them to writing for claimants in contest cases in establishing homestead rights from the present statutory fee of 15 cents per folio to 10 cents per folio. The committee has deemed it advisable to extend the reduction of such fees to all matters wherein registers and receivers are allowed fees for reducing testimony to writing, because in the opinion of the committee the proposed fee is ample for such service.

Section 2 of the substitute bill, if it should become law, will repeal subdivision 12 of section 2238 of the Revised Statutes of the United States.

Subdivision 12 of said section of the Revised Statutes is as follows:

"12. Registers and receivers in California, Oregon, Washington, Nevada, Colorado, Idaho, New Mexico, Arizona, Utah, Wyoming, and Montana are each entitled to collect and receive fifty per centum of the fees and commissions provided for in the first, third, and tenth subdivisions of this section."

The committee understands that this subdivision became law upon the theory that the cost of living was so much greater in the States and Territories mentioned in said twelfth subdivision that it was necessary to allow the additional fees to be collected within their limits.

The committee believes that the time is past when it is necessary or just that additional fees should be allowed registers and receivers in the above-mentioned States and Territories. These fees as a rule must be paid by men who are seeking to build homes, and who in most cases are least able to bear the burdens imposed upon them by these additional fees. Everywhere throughout the country, including the above-named States and Territories, the prices of farm products and the products of all labor have fallen greatly, and it seems but just that the fees which are imposed upon the classes above mentioned, in case they become involved in litigation over land and other claims, should be reduced.

Subdivisions 1 and 3, which will be affected by the repeal of subdivision 12 of section 2238, are as follows:

"First. A fee of one dollar for each declaratory statement filed and for services in acting on preemption claims.

"Third. A commission to be paid by the homestead applicant at the time of entry of one per centum and the cash price as fixed by law of the land applied for; and a like commission when the claim is finally established and the certificate therefor issued as the basis of a patent."

The committee reports herewith H. R. 4073 and recommend that it be laid upon the table.